

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

CHAPTER 7

DOROTHY ELAINE JENKINS

CASE NO. 25-00638-JAW

**APPLICATION OF TRUSTEE TO EMPLOY
ATTORNEY FOR SPECIAL PURPOSE**

COMES NOW, Stephen Smith, Trustee in the above-styled and numbered proceeding, by and through his attorney, and petitions the Court for authority to retain and appoint *Mark E. Berns* and the law firm of *Onder Law* to represent the Trustee in this proceeding for a special purpose and in support thereof would respectfully show as follows, to-wit:

1. That in order to facilitate his duties as a Trustee, it is necessary for the Trustee to employ counsel for the pursuit of a claim resulting in a personal, physical injury.

2. Applicant desires to employ *Mark E. Berns*, with the law firm of *Onder Law* as counsel for the performance of said legal services described herein with said attorney receiving compensation of an undivided contingent interest in same claim as forty percent (40%) of any recovery, plus expenses incurred. However, the total sum of attorney's fees and expenses shall not exceed fifty percent (50%) of the total amount of the settlement. The delineation of attorney's fees and expenses will be disclosed in the application for approval of attorney's fees and expenses. A true and correct copy of the Contract for Legal Services is attached hereto and incorporated herein as **Exhibit "A"**.

That any recovery, by settlement or judgment, shall be paid directly to the Trustee for future distribution in accordance with Court Orders.

3. Said attorney, whose office is in St. Louis, Missouri, is fully competent to advise the Trustee on all matters which are now anticipated to arise in the functioning of this proceeding and protect and preserve all rights of Applicant.


4. Said attorney represents no interest adverse to the Trustee or the estate with respect to matters upon which she is to be engaged, and the employment of said attorney would be in the best interest of this estate. To the best of Applicant's knowledge, said attorney has no connection with the creditors herein or any other party in interest or their respective attorneys which would interfere with or hinder the faithful performance of her duties herein. An Affidavit supporting this statement is attached hereto as **Exhibit "B"**.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that he be authorized to employ and appoint *Mark E. Berns* and the law firm of *Onder Law* as his legal counsel in the action set out herein above.

Respectfully submitted,

STEPHEN SMITH

CHAPTER 7 TRUSTEE


EILEEN N. SHAFFER
Attorney for Trustee

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CERTIFICATE OF SERVICE

I, Eileen N. Shaffer, Attorney for Trustee, do hereby certify that I have caused to be mailed by United States Mail, postage prepaid, or electronically transmitted via CM/ECF Noticing, a true and correct copy of the above and foregoing *Application of Trustee to Employ Attorney for Special Purpose* to the following, on the day and year hereinafter set forth:

Mark E. Berns, Esq.
Onder Law
110 E. Lockwood Avenue
St. Louis, MO 63119
berns@onderlaw.com

Thomas Carl Rollins, Jr., Esq.
Attorney for Debtor
trollins@therollinsfirm.com

United States Trustee
USTPRegion05.JA.ECF@usdoj.gov

SO CERTIFIED, this the 9th day of April, 2025.



EILEEN N. SHAFER